

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 5, 1945
11:00 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilmen Alford, Bartholomew, Gillis, Mayor Miller - 4
Absent : Councilman Wolf - 1

Present also: Walter E. Seaholm, Acting City Manager; J. E. Motheral, City Engineer; W. T. Williams, City Attorney; and R. D. Thorp, Chief of Police.

The minutes of the Regular Meeting of March 29, 1945, were read, and on motion of Councilman Alford, were adopted as read by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

Mayor Miller offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Councilmen Alford and Bartholomew be, and they are hereby, appointed as a committee to canvass the returns of the election held in the City of Austin, Texas, on April 2, 1945, and they are hereby instructed to report to the City Council the result of such canvass.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

Following such canvass of returns, Councilman Bartholomew then offered the following resolution, and moved its adoption:

(RESOLUTION)

WHEREAS, by virtue of an election held in the City of Austin, Texas, on the 2nd day of April, 1945, for the purpose of electing five Councilmen, the official returns from the election officials certify and show, and thereafter a canvass of said returns by the Committee appointed by the City Council to canvass said returns also show, there were cast at said election a total of 3051 votes; and

WHEREAS, said returns, and the canvass thereof, also show that the following named persons severally received the total votes set opposite their names, respectively, to wit:

Chas. F. Alford	received	2928 votes
E. C. Bartholomew	received	2946 votes
Simon Gillis	received	2920 votes
Tom Miller	received	2899 votes
Oswald Wolf	received	2896 votes
Adam Johnson	received	1 vote
O. B. Burks	received	1 vote
Walter Seaholm	received	1 vote
E. A. Hancock	received	1 vote
Z. T. Scott	received	1 vote
Claude Voyles	received	1 vote
C. A. Schutze	received	1 vote
Ed Clark	received	1 vote
Nelson Brown	received	1 vote
Walter Bremond	received	1 vote
Emmett L. Bauknight	received	2 votes
Paul Holcomb	received	1 vote
Mrs. Alfred Taylor	received	1 vote
D. D. Johnson	received	1 vote
E. B. Moody	received	1 vote
Taylor Glass	received	1 vote

Total vote cast at election - 3051 ; and

WHEREAS, it appears that Chas. F. Alford, E. C. Bartholomew,

Simon Gillis, Tom Miller and Oswald G. Wolf have received the highest number of votes cast for Councilmen at said election; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT in accordance with said returns, as received and canvassed, the following named persons are hereby declared duly elected and authorized to qualify for the positions of Councilmen for the City of Austin, for the term of two years, beginning May 1, 1945: CHAS. F. ALFORD, E.C. BARTHOLOMEW, SIMON GILLIS, TOM MILLER and OSWALD G. WOLF.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

- Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
- Noes : None
- Absent: Councilman Wolf

Councilman Bartholomew then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on the 18th day of January, 1945, a Resolution was duly passed by the City Council of the City of Austin, Texas, giving notice of its intention to pass an ordinance providing for the submission to the qualified voters of the City of Austin, Texas, at an election to be held for such purpose six certain amendments to the existing Charter of said City of Austin; and

WHEREAS, in accordance with law, notice of intention to submit such propositions at such election was given by publication in the Austin American and Austin Statesman, newspapers of general circulation published in said City of Austin, which notice was published in said newspapers consecutively for ten days from January 24, 1945 to February 2, 1945, both inclusive, the first of said publications being at least twenty days before the passage of said ordinance; and

WHEREAS, under and by virtue of the terms of the certain ordinance passed by the City Council, and approved by the Mayor of said City, on the 15th day of February, 1945, a regular election was held in said City, according to law, on the 2nd day of April, 1945, for the purpose of the adoption or rejection by the qualified voters of said City of said proposed amendments to the existing Charter of the City of Austin, Texas; and

WHEREAS, upon due consideration of said election, it appears and it is found that due and legal notice thereof has been given, and further upon consideration of the returns of said election, it appears and it is found that the votes cast at said election have been duly counted and the returns thereof legally made, and the City Council having counted and canvassed said returns, it appears therefrom that there were cast in said election Three Thousand and Fifty-one (3051) votes, of which number there were cast for and against each of said propositions proposing said amendments the following:

FOR Proposition No. 1	2596 votes
AGAINST Proposition No. 1 -----	256 votes
MAJORITY FOR Proposition No. 1	2340 votes

FOR Proposition No. 22573 votes
 AGAINST Proposition No. 2 272 votes
 MAJORITY FOR Proposition No. 22301 votes

FOR Proposition No. 32588 votes
 AGAINST Proposition No. 3 255 votes
 MAJORITY FOR Proposition No. 32333 votes

FOR Proposition No. 42413 votes
 AGAINST Proposition No. 4 492 votes
 MAJORITY FOR Proposition No. 41921 votes

FOR Proposition No. 52623 votes
 AGAINST Proposition No. 5 254 votes
 MAJORITY FOR Proposition No. 52369 votes

FOR Proposition No. 62626 votes
 AGAINST Proposition No. 6 179 votes
 MAJORITY FOR Proposition No. 62447 votes

And it appearing to the City Council from the returns of said election, after the canvass thereof as tabulated and set out above, that a majority of the qualified voters at said election have voted in favor of each of the six amendments to the City Charter of the City of Austin, Texas, therein contained, and that all of the propositions proposing said amendments were approved and adopted at said election; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT the six said propositions to adopt the amendments proposed at said election were sustained, and that at such election said amendments were approved and adopted by a majority of the qualified voters of said City voting at said election, and that the Charter Amendments thereby became and are now hereby recognized and declared to be a part of the City Charter of the City of Austin, Texas, and it is so ordered.

2. THAT the Mayor and the City Manager be, and they are hereby directed to certify to the Secretary of State of the State of Texas, an authenticated copy of each of the six said amendments, under the seal of the City of Austin, showing the approval of and adoption by the qualified voters at said election of said amendments, and that the Secretary of State be requested to file and record the same in a separate book to be kept in his office for such purpose.

3. THAT the City Clerk be, and she is hereby directed to record at length upon the records of the City of Austin, Texas, in a separate book to be kept for such purpose, the six said amendments so adopted.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes : None

Absent: Councilman Wolf

The application of CARL EDWARD VANLANDINGHAM, 707 Deep Eddy Avenue, for a taxicab driver's permit, duly approved by the Acting City Manager,

was submitted. Councilman Alford moved that the permit be granted. The motion prevailed by the following vote:

- Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
- Noes : None
- Absent: Councilman Wolf

The application of VERNON WILLIAMS, 2945 East 14th Street, for a taxicab driver's permit, duly approved by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote:

- Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
- Noes : None
- Absent: Councilman Wolf

The application of SGT. KENNETH A. CONANT, Bergstrom Field, for a taxicab driver's permit, duly approved by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote:

- Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
- Noes : None
- Absent: Councilman Wolf

The application of S/SGT JOHN R. HOUGH, Bergstrom Field, for a taxicab driver's permit, duly approved by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote:

- Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
- Noes : None
- Absent: Councilman Wolf

Acting City Manager Seaholm submitted a request in writing from the Texas and Southwestern Cattle Raisers Association, asking that a charge of three cents (3¢) per head for brand inspection be made on all cattle coming to the City Abattoir direct, and that remittance be made monthly to the Association for whatever amount is collected.

Councilman Gillis moved that the request be granted, and that the Acting City Manager be instructed to include said charge of three cents (3¢) per head in the Abattoir charges, in accordance with said request. The motion carried by the following vote:

- Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
- Noes : None
- Absent: Councilman Wolf

Councilman Bartholomew offered the following resolution, and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Walter E. Seaholm, City Manager of the City of Austin, be, and he is hereby authorized and directed to execute a Special Warranty Deed to Ed R. Stamnitz and his wife, Ollie Mae Stamnitz, for Lots Numbers 13 and 14, Block No. 5, Glenridge Addition to the City of Austin, the said

Ed R. Stammitz and his wife, Ollie Mae Stammitz, having paid the consideration for the said Lots as set out in their contract to purchase the same from the City of Austin.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes : None

Absent: Councilman Wolf

The Acting City Manager was instructed to have a list of delinquent personal property taxes prepared for study by the Council.

Councilman Gillis offered the following resolution, and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

THAT Walter E. Seaholm, City Manager of the City of Austin, be, and he is hereby, authorized and directed to enter into a contract with J. T. Hough to purchase Lots 11 and 12, being the Northwest One-fourth of Outlot 25, Division "O", Jones Addition to the City of Austin, located at 2205-2207 East 2½ Street, for the sum of \$350.00, payable in monthly installments of \$25.00 each, with interest on deferred payments at the rate of 6% per annum; upon receipt of which the City of Austin will convey its title to said property to the said J. T. Hough.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes : None

Absent: Councilman Wolf

Councilman Bartholomew offered the following resolution, and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

THAT Walter E. Seaholm, City Manager of the City of Austin, be, and he is hereby authorized and directed to enter into a contract with U. L. Edwards to purchase Lots 8 and 9, Block 1, Barton Springs Park, for the sum of \$650.00, payable \$50.00 in cash and the balance in monthly installments of \$15.00 each, with interest on deferred payments at 6% per annum; upon receipt of which the City of Austin will convey its title to said property to the said U. L. Edwards.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes : None

Absent: Councilman Wolf

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE PASSED APRIL 5, 1934, AS AMENDED ON APRIL 2, 1936, AND AS FURTHER AMENDED ON JUNE 4, 1936, AND AGAIN AMENDED ON APRIL 7, 1938, AND AGAIN AMENDED ON MARCH 30, 1939, ENTITLED "AN ORDINANCE DECLARING WHEN TAXES DUE THE CITY OF AUSTIN SHALL BECOME DELINQUENT," PROVIDING THAT SAME SHALL THEREAFTER BEAR INTEREST, ASSESSING A PENALTY FOR DEFAULT, AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

The ordinance was read the second time and Councilman Gillis moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

The ordinance was read the third time and Councilman Gillis moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

Mayor Miller then announced that the ordinance had been finally passed.

Councilman Gillis offered the following resolution:

(RESOLUTION)

WHEREAS, the City of Austin taxes for the years 1935, 1936, 1937, 1939, 1940, 1941, and 1943 were assessed in the name of Clifton T. Sansom on personal property, and for 1943 on Lot 18, Block 3, Ridgetop Annex, Outlot 16, Division C and North $\frac{1}{2}$ of Lot 5, Oakvale, in the City of Austin, Travis County, Texas, said taxes for said years being in the amount of \$72.29, and for non-payment of same at maturity, penalty in the sum of \$3.61 has been assessed, and interest in the amount of \$11.10 has accrued, making the total amount of taxes, penalty and interest due \$87.00; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$3.61 and one-half of the interest in the sum of \$5.55; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$3.61 and one-half of the

interest in the sum of \$5.55 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is hereby authorized and directed to charge said penalty in the sum of \$3.61 and said interest in the sum of \$5.55 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of the aforesaid taxes and one-half of the interest as aforesaid.

Upon motion, the resolution was adopted by the following vote:
 Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
 Noes : None
 Absent: Councilman Wolf

Councilman Alford offered the following resolution:

(RESOLUTION)

WHEREAS, the City of Austin taxes for the years 1927, 1930, 1931, 1932, 1933, 1934, and 1935 were assessed in the name of W. J. Koen on personal property in Travis County, Texas, said taxes for said years being in the amount of \$37.68, and for non-payment of same at maturity, penalty in the sum of \$1.89 has been assessed, and interest in the amount of \$29.35 has accrued, making the total amount of taxes, penalties and interest due \$68.92; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$1.89, and said interest in the sum of \$29.35; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$1.89 and interest in the sum of \$29.35 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is hereby authorized and directed to charge said penalty in the sum of \$1.89 and said interest in the sum of \$29.35 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of the aforesaid taxes and interest.

Upon motion, the resolution was adopted by the following vote:
 Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
 Noes : None
 Absent: Councilman Wolf

Councilman Gillis offered the following resolution:

(RESOLUTION)

WHEREAS, the City of Austin taxes for the year 1938 on a Dodge and for the years 1938, 1940, 1941, 1943, and 1944 on the North 50'x150' of Lot 11, Outlot 6, 9, Beau Site "C", Plat 67, in the City of Austin, Travis County, Texas, were assessed in the name of Clifton C. Sansom, said taxes for said years being in the amount of \$72.42, and for non-payment of same at maturity, penalty in the sum of \$2.95 has been assessed, and interest in the amount of \$13.33 has accrued, making the total amount of taxes, penalty and interest due \$88.70; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$2.95 and one-half of the

interest in the sum of \$6.66; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

THAT the aforesaid penalty in the sum of \$2.95 and one-half of the interest in the sum of \$6.66 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is hereby authorized and directed to charge said penalty in the sum of \$2.95 and said interest in the sum of \$6.66 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of the aforesaid taxes and one-half of the interest as aforesaid.

Upon motion, the resolution was adopted by the following vote:
Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

There being no further business, upon motion, seconded and carried, the meeting was recessed at 11:40 A. M., subject to call of the Mayor.

APPROVED: Tom Miller.
MAYOR

ATTEST:

Salie Miller
CITY CLERK